

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CHINA PACIFIC PROPERTY	§	
INSURANCE CO., LTD.	§	
	§	
vs.	§	C.A. NO. H – 15 – 888
	§	
DALIAN SUNTIME	§	
INTERNATIONAL	§	
TRANSPORTATION CO., LTD.,	§	
<i>et al.</i>	§	

UNOPPOSED MOTION FOR ENTRY OF DEFAULT

TO THE HONORABLE GRAY H. MILLER:

Under Fed.R.Civ.P. 55(a), Plaintiff asks the Court to order entry of default against Defendant Dalian Suntime International Transportation Co., Ltd. (“Dalian”):

1. On April 6, 2015, Plaintiff filed the complaint. (Doc. No. 1).
2. On May 12, 2015, Plaintiff served a summons and a copy of the complaint upon Dalian by serving the Texas Secretary of State. (Doc. No. 7)
3. On May 15, 2015, the Texas Secretary of State sent the summons and complaint to Dalian by U.S. Certified Mail. *Id.*
4. On June 15, 2015, the process was returned to the Texas Secretary of State, “Bearing the Notation: Return, Refused.”

5. Dalian has failed to appear. The time for Dalian to answer or otherwise respond to Plaintiff's complaint has passed; Fed.R.Civ.P.12(a)(1)(A), 55(a).

6. Plaintiff accordingly asks the Court to:

- (a) Grant this motion;
- (b) Conclude as a matter of law that Plaintiff is entitled to entry of default against Dalian;
- (c) Grant Plaintiff default judgment against Dalian as to liability only;
- (d) Grant Plaintiff leave, in due course, to present evidence of its damages and, upon consideration of that evidence, grant Plaintiff a final judgment against Dalian; and,
- (e) Grant Plaintiff all other relief to which it justly and equitably may be entitled.

Respectfully submitted,

SHARPE & OLIVER, L.L.P.

By 

Robert C. Oliver

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OF COUNSEL:

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ATTORNEYS FOR PLAINTIFF

Certificate of Conference

I consulted opposing counsel and Defendant AllTrans Port Trucking, Inc. opposes the granting of this motion.

A handwritten signature in black ink, appearing to read "Robert C. Oliver", written over a horizontal line.

Robert C. Oliver

Certificate of Service

Per Local Rule 5.5 and on August 7, 2015, I served this motion and the accompanying proposed order upon Defendant Dalian Suntime International Transportation Co., Ltd. by registered mail, return receipt requested. On the same date, I served this motion and the accompanying proposed order upon Defendant AllTrans Port Trucking, Inc. by its attorney of record, by CM/ECF.

A handwritten signature in black ink, appearing to read "Robert C. Oliver", written over a horizontal line.

Robert C. Oliver